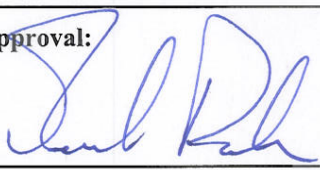


# WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

TPID # 1586017

<b>1. Name &amp; Street Address of Facility:</b>  B & J Auto Center, Inc. 5901 Coliseum Way Oakland, CA 94602	<b>2. Name &amp; Mailing Address of Operator:</b>  Bernard Jesus Beltran 870 Commercial Street San Jose, CA 95112	<b>3. Name &amp; Mailing Address of Property Owner:</b>  Bernardo Beltran 3517 Feller Avenue San Jose, CA 95127
<b>4. Specifications:</b>  <b>a. Permit Type:</b> <input checked="" type="checkbox"/> Minor Waste Tire Facility  <b>b. Permit Action:</b> <input checked="" type="checkbox"/> New Permit <input type="checkbox"/> Five (5) Year Permit Renewal <input type="checkbox"/> Permit Revision  <b>c. Operational Status:</b> <input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed  <b>d. Permitted Number of Waste Tires Stored On-Site:</b> <u>1,300</u> (See condition "t.")  <b>e. Maximum Site Capacity:</b> <u>2,600 Whole Waste Tires/Passenger Tire Equivalents</u>  <b>f. Permitted Storage Area (acres):</b> <u>1.27 acres</u>  Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued waste tire facility permit and/or exclusion(s).		
<b>5. Approval:</b>  _____ Approving Officer Signature  Ted Rauh, Program Director Waste Compliance and Mitigation Program Department of Resources Recycling and Recovery (CalRecycle)		<b>6. Enforcement Agency Name and Address:</b>  Department of Resources Recycling and Recovery (CalRecycle) 1001 I Street P.O. Box 4025 Sacramento, CA 95812  <b>Frequency of Inspection by Enforcement Agency:</b>  2.5 Years (30 months) or more frequently as determined by CalRecycle or the Local Enforcement Agency
<b>7. Date Application Received:</b>  10/15/2009		<b>8. Date Application Accepted:</b>  11/17/2009
<b>9. Permit Issued Date:</b>  5/17/10	<b>10. Permit Application Renewal Due Date:</b>  5/17/14	<b>11. Permit Expiration Date:</b>  5/17/15

# WASTE TIRE FACILITY PERMIT

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**12. Legal Description of Facility:**

Assessor's Parcel Number (APN): 41-3906-2

**13. Findings:**

- a. This permit is consistent with the standards adopted by the California Department of Resources Recycling and Recovery (CalRecycle) as required by Title 14, California Code of Regulations (CCR), Division 7, Chapter 6.
- b. The design and operation of the facility is consistent with the Waste Tire Storage and Disposal Standards applicable to a Minor waste tire facility, pursuant to PRC §42830 et. seq. and implementing regulations found in 14 CCR, Division 7, Chapter 3.
- c. An Environmental Impact Report, State Clearinghouse No. 1997062089 was prepared for the City of Oakland General Plan Land Use and Transportation Element, and was circulated for review period from October 31, 1997 through December 30, 1997. The City of Oakland certified the EIR on June 23, 2002. The EIR was amended in 2009 and was re-certified on July 21, 2009. On August 10, 2009, the City of Oakland Planning Commission made a determination that the proposed project is exempt from further CEQA review per Title 14 CCR Section 15268 as it complies with the General Plan zoning designation "Commercial Industrial Mix". Therefore, staff has determined that permitting this facility does not require additional CEQA analysis, pursuant to PRC 42812.

**14. The following documents describe and/or restrict the operation of this facility:**

	Date		Date
<input checked="" type="checkbox"/> Permit Application (DRRR 500)	09/09/2009	<input checked="" type="checkbox"/> Vector Control Approval	02/02/2010
<input checked="" type="checkbox"/> Operation Plan (DRRR 501)	09/05/2009	<input checked="" type="checkbox"/> Fire Permit - Oakland Fire Department	11/01/2009
<input checked="" type="checkbox"/> Environmental Information (DRRR 502)	09/05/2009	<input checked="" type="checkbox"/> Business Tax Certificate	12/31/2010
<input checked="" type="checkbox"/> Emergency Response Plan (DRRR 503)	09/05/2009	<input checked="" type="checkbox"/> EIR / General Plan SCH #1997062089	08/10/2009
<input type="checkbox"/>		<input checked="" type="checkbox"/> CalRecycle Local Fire Approval Form	03/02/2010

**15. Conditions:**

- a. The design and operation of this facility shall comply with the applicable Waste Tire Storage and Disposal Standards contained in 14 CCR, Division 7, Chapter 3. The permittee shall also comply with the permitting requirements in 14 CCR, Division 7, Chapter 6.
- b. The facility shall comply with all Federal, State, and Local laws and requirements, including all mitigation measures given in any certified or adopted CEQA document filed pursuant to Public Resources Code, Section 21081.6.
- c. In the event of a fire or other emergency that may have potential significant off-site effects, the permittee shall notify CalRecycle within 24 hours.
- d. Upon presentation of proper credentials, the Enforcement Agency, CalRecycle staff, or other authorized agent of CalRecycle, shall be allowed to enter the permitted facility during normal operating hours to examine and copy books, papers, records, or memorandum, to take photographs of the tire storage area, and to conduct inspections and investigations pertaining to the facility. CalRecycle staff, designated contractors and representatives shall also have access to the facility to investigate, remediate, or stabilize the facility, if such activities are deemed necessary to protect the public health, safety and the environment.



# WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

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## 15. Conditions: (continued):

- e. The permittee shall maintain a copy of the Fire Authority approval at the facility. The permittee shall maintain copies of all waste and used tire manifests documenting tire movement in and out of the facility for a minimum of 3 years. The permittee shall maintain a copy the Operation Plan and the Emergency Response Plan at the facility. At the time of permit issuance, the permittee shall forward a copy of the Emergency Response Plan to the local fire authority. The Emergency Response Plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. Such revisions to the operation plan or emergency response plan will not be effective until CalRecycle concurs with the revisions. All emergency phone numbers shall be updated immediately. The local fire authority and CalRecycle shall be notified of any changes to the plan within 30 days of implementing the revision.
- f. A copy of this permit shall be posted in a visible location at the facility.
- g. Local fire authority permits or other approvals referenced in this permit shall be maintained in force during the term of this permit. In the event the permittee intends to modify any permit or approval from another government program, including but not limited to Air Resources Board, State Water Control Board, or CalRecycle programs, during the term of this permit, the permittee shall notify CalRecycle in writing within at least 30 days prior to the change and include copies of any renewed or modified permits or approvals from these agencies. In the event any permit or approval from another government program is suspended or revoked, or expires during the term of this permit, the permittee shall notify CalRecycle in writing within 5 working days of the suspension, revocation or expiration, and include copies of the pertinent documents with the notification.
- h. This permit does not release the permittee from their responsibility under any other existing laws, ordinances, regulations, or statutes of other government agencies.
- i. The terms and conditions of this permit may change as a result of a revision of CalRecycle's statutes or regulations.
- j. The permittee must report to CalRecycle the receipt of 10 or more waste or used tires from unregistered haulers in a manner that is consistent with Title 14 CCR §18461.
- k. All site conditions, equipment, and precautions outlined in the Waste Tire Facility Operation Plan shall remain in force.
- l. CalRecycle staff reserves the right to suspend or modify waste tire receiving and/or storage operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance, to protect the public health and safety, protect and rehabilitate or enhance the environment, or to mitigate adverse environmental impacts.
- m. Violation of any term or condition of this permit or the Waste Tire Storage and Disposal Standards may result in enforcement action(s) which include but are not limited to the following: issuance of orders (clean up and abatement or cease and desist); penalties (civil, administrative, criminal); and permit revocation or suspension.
- n. The permittee shall manifest all Tire Derived Product (TDP) loads, other than crumb rubber, or obtain written approval from CalRecycle prior to allowing the transport of TDP, as defined by PRC sections §42805.7 and §42950(i), pursuant to Title 14 CCR §18451. Requests for such approval shall include proof of sale. Failure to obtain approval of the transport of the product may result in enforcement action.
- o. Altered tire materials greater than 1/4" in size stored on-site are considered waste tires and will count toward the Maximum Permitted Capacity declared on page one of this permit.
- p. The beneficial reuse of waste tires in on-site construction projects must be pre-approved as required by Title 14 CCR §17346(f).
- q. The permittee shall only give, contract, or arrange with California registered used and waste tire haulers to transport waste tires or tire pieces (greater than 1/4") away from the facility, unless the hauler is exempt as specified in PRC §42954, or CalRecycle has granted written approval to the permittee or the hauler.
- r. This permit has been issued to the operator for the waste tire facility located at 5901 Coliseum Way, Oakland and is not transferable to any other location (PRC §42808).

# WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

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- s. Prior to initiating closure of this facility, the permittee shall notify and obtain written approval from CalRecycle of the proposed final destination sites, where the tires are planned to be taken (14 CCR §§18440 & 18441).
- t. The facility is permitted for a maximum of 1,300 waste tires to be stored on-site, at any one time. All waste tires and casings will be stored in a locked trailer parked in a designated area on-site. Waste tires are to be loaded directly into a 45 foot enclosed trailer. A hauler company will remove the trailer at least once a week, and an empty trailer will be put in its place.
- u. The Permittee must maintain and ensure that the following equipment is in working order by inspecting this equipment monthly: on-site fire hose racks, fork lifts, and the 13 fire extinguishers mounted on marked columns.
- v. The permittee shall maintain a copy of the Waste Tire Facility Operation Plan (Operation Plan) at the facility. If the permittee proposes to make a substantial change in the design or operation of the waste tire facility, then the permittee shall apply for a revision of the permit. The application shall be made in the manner specified in 14 CCR, Division 7, Chapter 6, Sections §18423 and §18424. For a non-substantial change to the design or operation of the waste tire facility, the permittee shall submit a revised Operation Plan to the CIWMB no later than seven (7) business days after the change is effective.
- w. If the owner or operator of this facility plans to sell, encumber or transfer or convey the ownership or operation of the facility or land to a new owner or operator, or plans to change their address, then the permittee shall notify the CIWMB 30 days prior to the date of the planned transaction. The new owner or operator shall submit information to the CIWMB as prescribed in 14 CCR, Division 7, Chapter 6, Section §18428.
- x. The permittee shall notify the Board in writing of each administrative change no later than seven (7) business days after the change is effective. Administrative changes shall include, but not be limited to, changes to any information in the application that does not apply to the design or operation of the facility.



# WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

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## Facility Site Plan/Storage Map (Hazardous Materials Business Plan Module)

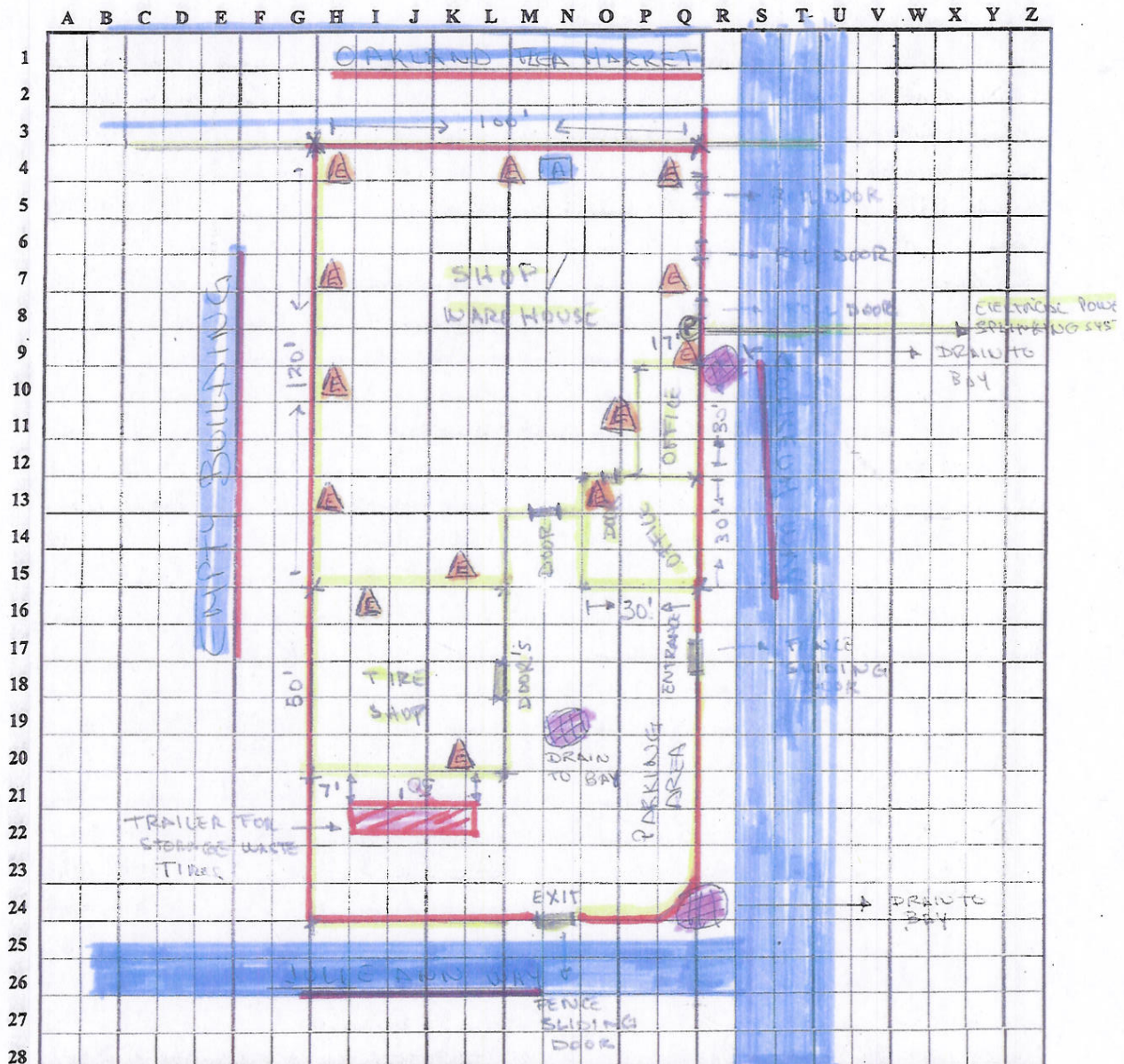
Site Address: 5901 COLISEUM WAY OAKLAND CA 94601

Date Map Drawn: 08-12-09

Map Scale: 1/4 inch = 10 feet

Page 1 of 1

BUILDING SQT = 15,490



Instructions are printed on the following page.

= EXTINGUISHER (TOTAL 13)

= WATER HYDRANT OR STANDING FIRE HORSE  
www.unidoes.org

= ELECTRICAL POWER SPRINKLING SYSTEM

UN-020 - 16/17

Rev. 07/24/06